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PTO/SB/21 (08-00)

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<div style="display: flex; align-items: center; justify-content: center;"> <div style="text-align: center;"> <h1 style="margin: 0;">TRANSMITTAL FORM</h1> </div> </div>		Application Number		10/731,420					
		Filing Date		December 8, 2003					
		First Named Inventor		Timothy M. WOUTENBERG					
		Group Art Unit		1753					
		Examiner Name		Jeffrey T. BARTON					
Total Number of Pages in This Submission		5 and 4 documents		Attorney Docket Number		5010-239			
ENCLOSURES (check all that apply)									
<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment / Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input checked="" type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53		<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition For Extension of Time <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) <input type="checkbox"/> After Allowance Communication to Group		<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Acknowledgement Postcard <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): Forms PTO/SB/08a and PTO/SB/08b (2 pages), 3 references, and copy of the European Supplementary Search Report <div style="text-align: right; font-weight: bold; font-size: 1.2em;">Customer No. 35411</div>					
								Remarks	
SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT									
Firm or Individual name		Leonard D. Bowersox							
Signature									
Date		April 5, 2005							
CERTIFICATE OF MAILING									
Date: <u>April 5, 2005</u> Label No. <u>EV 333353304 US</u> I hereby certify that, on the date indicated above, I deposited this paper with identified attachments and/or fee with the U.S. Postal Service and that it was addressed for delivery to Mail Stop Amendment, Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450, by "Express Mail Post Office to Addressee" service.									
Type or printed name		Sandra Stocklinski							
Signature						Date		April 5, 2005	

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which his to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing the burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, Washington, D.C. 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS: SEND TO: Commissioner for Patents, Washington, D.C. 20231.

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Sandra Stocklinski

Name (Print)

Sandra Stocklinski

Signature

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application No. : 10/731,420 Confirmation No. 3941
Applicant : Woudenberg et al.
Filed : December 8, 2003

TC/A.U. : 1753
Examiner : Jeffrey T. BARTON

Docket No. : 5010-239 (Formerly 4320C1)
Customer No.: 35411

INFORMATION DISCLOSURE STATEMENT

Mail Stop Amendment
Commissioner for Patents
P. O. Box 1450
Alexandria, VA 22313-1450

April 5, 2005

Sir:

The attention of the Patent and Trademark Office is hereby directed to the documents listed on the attached Forms PTO/SB/08a and PTO/SB/08b (two pages). Copies of three documents are attached.

The documents listed on the attached Forms PTO/SB/08a and PTO/SB/08b were cited in, and include, a European Supplementary Search Report issued for European Application No. 00 95 2152, an application corresponding to the above-captioned application, and are being submitted prior to the three-month anniversary of the date of mailing of the European Supplementary Search Report. A copy of the European Supplementary Search Report is also enclosed.

The above information is presented so that the Patent and Trademark Office can, in the first instance, determine any materiality thereof to the claimed invention. See 37 CFR 1.104(a) and 1.106(b) concerning the PTO duty to consider and use any such information. It is respectfully requested that the information be expressly considered during the prosecution of

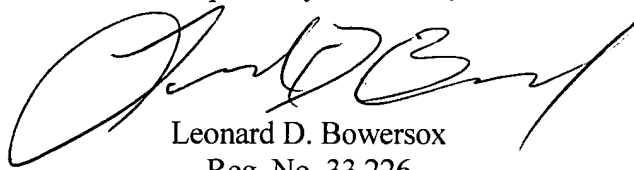
this application, and that at least the patents cited in the attached Forms PTO/SB/08a and PTO/SB/08b be made of record therein and appear on the first page of any patent to issue therefrom.

This submission does not represent that a search has been made or that no better art exists and does not constitute an admission that the listed document is material or constitutes "prior art." If the Examiner applies the cited patents as prior art against any claim in this application and applicant determines that the cited patents do not constitute "prior art" under United States law, applicant reserves the right to present to the office the relevant facts and law regarding the appropriate status of such document.

Applicant further reserves the right to take appropriate action to establish the patentability of the disclosed invention over the listed documents, should the documents be applied against the claims of the present application.

It is believed that no fee is required to make this a complete and timely filing. However, if it is determined that a petition or fee is required, the Commissioner is hereby authorized to charge any fee associated with this statement to our Deposit Account No. 50-0925, and please consider this a petition.

Respectfully submitted,

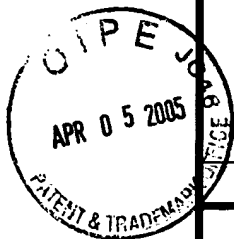


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Enclosures: Forms PTO/SB/08a and PTO/SB/08b
Copy of European Supplementary Search Report
Copy of Three Cited Documents

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Substitute for form 1449A/PTO

INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(use as many sheets as necessary)

Sheet

1

of

2

Complete if Known

Application Number	10/731,420
Filing Date	December 8, 2003
First Named Inventor	Timothy M. Woudenberg
Art Unit	1753
Examiner Name	Jeffrey T. Barton
Attorney Docket Number	5010-239

U.S. PATENT DOCUMENTS

Examiner Initials*	Cite No. ¹	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number - Kind Code ² (if known)			
		US-4,715,943	12-29-1987	Place et al.	
		US-			
		US-			
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FOREIGN PATENT DOCUMENTS

Examiner Initials*	Cite No. ¹	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T ⁶
		Country Code ³ - Number ⁴ - Kind Code ⁵ (if known)				
		WO 97/21090	06-12-1997	Gamera Bioscience		
		EP 0 693 560 A2	01-24-1996	Becton Dickinson and Company		
		EP 0 138 673 A2	04-24-85	Battelle Memorial Institute		

Examiner Signature	Date Considered
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*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. ¹Applicant's unique citation designation number (optional). ²See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. ³Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. ⁶Applicant is to place a check mark here if English language Translation is attached. Burden Hour Statement: This form is estimated to take 2.0 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450.

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Name: Sandra Stocklinski

Signature: *Sandra Stocklinski*

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*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. ¹Applicant's unique citation designation number (optional). ²See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. ³Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. ⁶Applicant is to place a check mark here if English language Translation is attached. Burden Hour Statement: This form is estimated to take 2.0 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450.

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Name: Sandra Stocklinski Signature: *Sandra Stocklinski*